

## § 269.5

## 32 CFR Ch. I (7–1–11 Edition)

(5) Multiple of \$10,000 in the case of penalties greater than \$100,000 but less than or equal to \$200,000; and

(6) Multiple of \$25,000 in the case of penalties greater than \$200,000.

(b) For purposes of paragraph (a) of this section, the term “cost-of-living adjustment” means the percentage (if any) for each civil monetary penalty by which the Consumer Price Index for the month of June of the calendar year preceding the adjustment, exceeds the Consumer Price Index for the month of

June of the calendar year in which the amount of such civil monetary penalty was last set or adjusted pursuant to law.

(c) *Limitation on initial adjustment.* The first adjustment of civil monetary penalty pursuant to § 269.3 may not exceed 10 percent of such penalty.

(d) *Inflation adjustment.* Maximum civil monetary penalties within the jurisdiction of the Department of Defense are adjusted for inflation as follows:

United States Code citation	Civil monetary penalty description	Maximum penalty amount as of 10/23/96	New adjusted maximum penalty amount
10 U.S.C. 1094(c)(1) .....	Unlawful Provision of Health Care .....	\$5,000	\$5,500
10 U.S.C. 1102(k) .....	Wrongful Disclosure—Medical Records:		
	First Offense .....	3,000	3,300
	Subsequent Offense .....	20,000	22,000
31 U.S.C. 1352 .....	Use of Appropriated Funds to Influence Contract:		
	Minimum .....	10,000	11,000
	Maximum .....	100,000	110,000
31 U.S.C. 3721(i) .....	Personal Property Loss Claims from Government Personnel .....	1,000	1,100
31 U.S.C. 3802(a)(1) .....	Program Fraud Civil Remedies Act/Violation Involving False Claim .....	5,000	5,500
31 U.S.C. 3802(a)(2) .....	Program Fraud Civil Remedies Act/Violation Involving False Statement .....	5,000	5,500
33 U.S.C. 1319(g)(2)(A) .....	§ 404 Permit Condition Violation, Class I (per violation amount) .....	10,000	11,000
33 U.S.C. 1319(g)(2)(A) .....	§ 404 Permit Condition Violation, Class I (maximum amount) .....	25,000	27,500
33 U.S.C. 1319(g)(2)(B) .....	§ 404 Permit Condition Violation, Class II (per day amount) .....	10,000	11,000
33 U.S.C. 1319(g)(2)(B) .....	§ 404 Permit Condition Violation, Class II (maximum amount) .....	125,000	137,500

### § 269.5 Application of increase to violations.

Any increase in a civil monetary penalty under this part shall apply only to violations which occur after the date the increase takes effect.

## PART 270—COMPENSATION OF CERTAIN FORMER OPERATIVES INCARCERATED BY THE DEMOCRATIC REPUBLIC OF VIETNAM

### Subpart A—General

Sec.

270.1 Purpose.

270.2 Definitions.

270.3 Effective date.

### Subpart B—Commission

270.4 Membership.

270.5 Staff.

### Subpart C—Standards and Verification of Eligibility

270.6 Standards of eligibility.

270.7 Verification of eligibility.

### Subpart D—Payment

270.8 Authorization of payment.

270.9 Amount of payment.

270.10 Time limitations.

270.11 Limitation on disbursements.

270.12 Payment in full satisfaction of all claims against the United States.

270.13 No right to judicial review or legal cause of action.

270.14 Limitation on attorneys fees.

270.15 Waiver of notary requirement.

### Subpart E—Appeal Procedures

270.16 Notice of the Commission's determinations.

270.17 Procedures for filing petitions for reconsideration.

270.18 Action on reconsideration.

### Subpart F—Reports to Congress

270.19 Reports to Congress.

APPENDIX A TO PART 270—APPLICATION FOR COMPENSATION OF VIETNAMESE COM-MANDOS

AUTHORITY: Sec. 657, Pub. L. 104–201, 110 Stat. 2422.

SOURCE: 63 FR 3472, Jan. 23, 1998, unless otherwise noted.